

JUL 19 2010

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Fingerman 1-1-1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 7,143,430

Serial No.: 09/440,434

Issue Date: 11/28/2006

Inventor(s): Fingerman, et al.

For: METHOD AND APPARATUS FOR REMOTE AUDIOVISUAL SIGNAL
RECORDING SERVICE

Durham, North Carolina
July 19, 2010**Attention Certificate of Corrections Branch**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**Request for Certificate of Correction
of Office Mistake Pursuant to
35 U.S.C. 254 and 37 C.F.R. 1.322**

Sir:

Applicant's assignee requests expedited issuance of a certificate of correction of office mistake. Per the guidelines of MPEP § 1480.01 at page 1400-92, the text of the corrections requested are submitted on a Certificate of Correction Form, PTO/SB/44. A duplicate copy of this Certificate of Correction Form has been labeled Exhibit A and the corrections requested have been numbered (1)-(6). Similarly, the last amendment filed September 9, 2005 filed before the Notice of Allowance has been labeled Exhibit B and pages 4 and 8 have been marked with circles and the numbers (1)-(6) to show that the words in question were correctly spelled in the

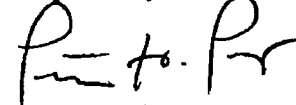
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Amdt. dated July 19, 2010
Reply to Office Action of May 11, 2005

amendment filed. In the amendment, claim 9 corresponds to patent claim 1 and claim 22
corresponds to claim 12.

Respectfully submitted,



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PTO/SB/44 (09-07)

Approved for use through 08/31/2010. OMB 0651-0033

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CERTIFICATE OF CORRECTION**Page 1 of 1

PATENT NO. : 7,143,430
APPLICATION NO. : 09/440,434
ISSUE DATE : 11/28/2006
INVENTOR(S) : Fingerman, et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 11, line 46 "amount" should read --among--;
Column 11, line 53 "grad" should read --grade--;
Column 11, line 60 "grad" should read --grade--.

Column 13, line 11 "program" should read --programs--;
Column 13, line 12 "sand" should read --and--;
Column 13, line 12 "grads" should read --grades.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Peter H. Priest
5015 Southpark Drive, Suite 230
Durham, NC 27713

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/44 (09-07)

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**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**Page 1 of 1

PATENT NO. : 7,143,430

APPLICATION NO. : 09/440,434

ISSUE DATE : 11/28/2006

INVENTOR(S) : Fingerman, et al.

EXHIBIT A

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

- (1) Column 11, line 46 "amount" should read --among--;
- (2) Column 11, line 53 "grad" should read --grade--;
- (3) Column 11, line 60 "grad" should read --grade--.
- (4) Column 13, line 11 "program" should read --programs--;
- (5) Column 13, line 12 "sand" should read --and--;
- (6) Column 13, line 12 "grads" should read --grades.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

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5015 Southpark Drive, Suite 230
Durham, NC 27713

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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100.2556

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Fingerman et al.
Serial No.: 09/440,434
Filed: November 15, 1999
For: METHOD AND APPARATUS FOR REMOTE AUDIOVISUAL SIGNAL
RECORDING SERVICE
Group: 2153
Examiner: Lim, Krisna

Durham, North Carolina
September 9, 2005

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Amendment

Sir:

In response to the Official Action of May 11, 2005, please amend the above identified application as follows:

Appl. No. 09/440,434
Amdt. dated September 9, 2005
Reply to Office Action of May 11, 2005

Amendments to the Specification:

Add a heading section titled Cross-Reference to Related Applications before the Background of the Invention on page 1 and after the title.

Please move the paragraph beginning on page 8, line 7 to page 1 after the Cross-Reference to Related Applications heading and before the Background of the Invention and replace it with the following rewritten paragraph:

U.S. Patent Application Serial No. 10/839,319 entitled, "Method and Apparatus for Remote Audiovisual Signal Recording" filed on May 5, 2004, which is a continuation of U.S. Application Serial No. 09/440,356 filed on November 15, 1999, now abandoned, which is assigned to the assignee of the present application ~~and filed on even date herewith~~, discloses a related method and apparatus and the contents of that application are hereby incorporated herein by reference.

Please replace the paragraph beginning at page 20, line 6, with the following rewritten paragraph:

The preceding embodiments show media program signal reception and the coding and storage of media programs being performed by distributed delivery systems, each of which perform all functions. In an additional embodiment as shown in FIG. 13, the signal reception is shown to be distributed to receive signals in different geographical locations and the coding and storage functions also being distributed but remote from the signal reception. In FIG. 13 a plurality of clients 11 through 16 are connectable via the Internet 17 to a client server 49. Also connected to the Internet 17 are a plurality of storage units 701, 703 and 705. Each of the storage

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units is connected to a media program switch 706 as well as to other sources of media signals (not shown). The storage units 701, 703 and 705 receive media program signals from switch 706 and, under the control of client server 49, encode and store media programs requested by the clients 11-16. Switch 706 operates in response to commands from client server 49 via the Internet 17 and a connection 715 to connect selected media program signals from one or more of receivers 707, 709, 711 and 713 to the storage units 701, 703 and 705. The receivers ~~708~~707, 709, 711 and ~~712~~713 are geographically distributed in Rome, New York, Chicago and Los Angeles in the present example. Client server 49 is aware of the media program signals available at each of the receivers and can present listings representing the media programs at each receiver to the clients 11-16 in the manner previously described. When client server 49 receives a media program request from a client, it identifies one of the receivers 707, 709, 711 and 713 which receives the requested program and controls switch 706 to connect the media program signal to a selected storage unit, e.g. 701. The selected storage unit, e.g. 701, is also directed to detect, encode, and store the requested media program signal and deliver it to the client on request. In the embodiment of FIG. 13, it is not required that the storage units be in any particular geographic location and may even be in a single storage center. Additionally, the media program signal switching functions of switch 706 may be distributed to a plurality of switches or other types of signal directing units.

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Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Please cancel claim 17 without prejudice and amend claims 9-16, 19-23, 25, and 26 as follows:

Claims 1-8 (cancelled).

9. (currently amended): A ~~storage allocation~~ media program delivery method comprising:
(1)
receiving a request for media program storage services, from a client among a plurality of
clients, for recording and delivery of media programs from a media program provider having
access to sources of media and a plurality of media delivery systems having a scheduler for
recording and playback control of media programs;

determining a client storage capacity in storage remote to the client based on a grade of
service selected by the client, wherein the (2) grade of service comprises a duration of total media
program time and a media program delivery data rate;

allocating storing a pre the determined amount of client available storage capacity as a
storage capacity parameter in a client file to the client in response to the request for media
program storage services, the predetermined amount of client available storage capacity allocated
to the client being determined by a request for storage capacity from the client ; and

assigning a cost of the media program services by the media program provider to the
client based on the allocated amount of storage; client's selected (3) grade of service.

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10. (currently amended): A The media program delivery method in accordance with of
claim 9 further comprising:

receiving a request to record an identified media program from the client;

determining whether the storage capacity required by the identified media program
exceeds the client storage capacity;

selecting the identified media program from a media source selected by the client or from
a best available media source;

recording the identified media program in a media format selected by the client in a
media storage facility shared for media program services if the identified media program does not
exceed the client storage capacity; and

notifying the client of the amount of remaining client available storage time if the
identified media program exceeds the client storage capacity and this remaining client available
storage time is insufficient to record the identified media program.

11. (currently amended): A The media program delivery method in accordance with of
claim 10 further comprising offering additional storage capacity time to the client if the identified
media program exceeds the client storage capacity.

12. (currently amended): A The media program delivery method in accordance with of
claim 9 comprising:

receiving a request for purchase of additional storage time from the client and in response
thereto, allocating additional increasing the storage capacity parameter in to the client file to
reflect the purchase of additional storage time.

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13. (currently amended): ~~A~~ The media program delivery method in accordance with of
claim 9-10 further comprising:

delivering the stored-identified media program from storage to the client in the client
selected media format and increasing the storage allocated to the client by an amount
substantially equal to the storage used to store the stored media program upon the client
requesting delivery of the identified media program.

14. (currently amended): A storage allocation method comprising:

receiving a request from a client for media program storage services from a media
program provider from a client;

determining a client storage capacity allocation based on a client's selected grade of
service, wherein the grade of service comprises a duration of total media program time and a
media program delivery data rate;

allocating in a selected media storage facility shared for media program services a pre-
determined amount of the client's available storage capacity allocation to the client in response
to use the request for media program storage services;

receiving a request for storage recording of an identified media program from the client;
determining whether the storage capacity required by the identified media program
exceeds the client storage capacity allocation;

storing the identified media program for a predetermined time period if the identified
media program does not exceed the client storage capacity allocation and determining an amount
of client available storage capacity remaining after the storage of the identified program; and

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~~automatically reclaiming establishing an expiration date for the media program stored and wherein the amount of storage capacity used to store the identified media program is made reusable at the end of the predetermined time period, wherein the reclaimed storage capacity may be reused by the client at the passing of the expiration date.~~

15. (currently amended): A The storage allocation method in accordance with of claim 14 further comprising:

notifying the client of ~~the an~~ expiration date before the passing end of the ~~expiration date~~ predetermined time period.

16. (currently amended): A The storage allocation method in accordance with of claim 15 further comprising:

offering the client an additional time period of storage for the ~~stored identified~~ multimedia program.

17. (cancelled)

18. (cancelled).

19. (currently amended): A The media program delivery method in accordance with of claim 9 10 further comprising:

determining the amount of storage time needed to store [[a]] the identified media program ~~identified by the client~~ and denying storage when the needed amount of storage time exceeds the amount of client ~~available~~ storage capacity.

20. (currently amended): A The media program delivery method in accordance with of claim 19 further comprising:

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offering additional storage ~~capacity~~ time to the client.

21. (currently amended): A The media program delivery method is accordance with of claim 9-10 wherein the identified media program is stored in a plurality of media program storage locations and the media program delivery method comprises notifying an allocator function of the total amount of storage capacity in use to store media programs requested by the client.

22. (currently amended): A media program storage system comprising:

a plurality of storage units for receiving and storing a predetermined plurality of requested media program ~~programs~~ ⁽⁴⁾ ~~signals~~ ^{(5) (6)} and for supporting a plurality of grades of service, said storage units being located in different geographic locations and each grade of service of the plurality of grades of service comprising a duration of total media program time and a media program delivery data rate;

a network accessible server for receiving requests for storage of ~~identified~~ the requested media program ~~programs~~ signals from network connected clients and in response to a request from a client for a media program ~~notifying operates to notify~~ one of the plurality of storage units to receive and store the ~~identified~~ requested media program ~~signal~~ in a client selected format wherein the network accessible server stores a value identifying an amount of storage available to the client~~[[.]]~~ and

~~the storage units comprise apparatus responsive to the notifications from the network accessible server for receiving and storing the identified program and the network accessible server for notifying operates to notify~~ the requesting client of a network address at which to retrieve the stored media program.

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23. (currently amended): ~~A~~ The media program storage system in accordance with of claim 22 further comprising:

apparatus responsive to a delivery request from the client via the network for delivering the stored media program in the client selected format to the client via the network.

24. (cancelled).

25. (currently amended): ~~A~~ The media program storage system in accordance with of claim 22 wherein the network accessible server stores a preferred listing of media programs for access by the client.

26. (currently amended): ~~A~~ The media program storage system in accordance with of claim 25 wherein the network accessible server stores listings of media programs in addition to the preferred listing.

Claims 27-33 (cancelled).